مُخْتَصَرُ الْقُدُوْرِيْ





KITABUZ ZAKAT

KITABUS SAWM

Darussunnah Latifia New York

Purifying Charity (Zakah)

PURIFYING CHARITY (ZAKAH)

(According to the Qur'an and Sunnah, as extracted and inferred by scholars of the Hanafi school.)
From "Mukhtasar al-Quduri", a matn of Hanafi fiqh

1.0 OBLIGATION

1. Zakat is obligatory on
   - the free, adult sane Muslim,
   - when he possesses the nisab with complete possession, ar
   - a [lunar] year has passed over it.

   There is no zakat [obligatory] upon a child, nor an insane perso nor a mukatib.

   There is no zakat [obligatory] upon anyone who has a [due] del encompassing his money. But, if his money is more than the d he pays zakat on the excess if it reaches nisab.

   If one advance-pays the zakat before the year [has passed ovei and he possesses nisab, it is valid.

   If wealth is destroyed after the obligation of zakat [has become due], it is waived.

2. [Zakat due (in various proportions) on : gold silver cash trade-goods freely-grazing livestock kept for milk, breeding or fatteni camels, cows, sheep and goats. produce (excluding firewood, re

and grass). buried treasures and metals.]

There is no zakat [obligatory] on:
- residential homes,
- body clothes,
- household furniture,
- riding-beasts,
- slaves in service,
- weapons of use.

3. It is not valid to offer zakat without an intention coinciding with payment, or coinciding with the setting-aside of the obligatory portion.

   One who gave all of his wealth in charity, without intending zak its obligation is waived from him.

2.0 ZAKAT ON SILVER

1. There is no charity [obligatory] on any [silver]less than 200 dirhams.
   [200 dirhams corresponds to19.69 troy oz and 612.36g.]
2. Then, if it is 200 dirhams, and a [lunar] years passes over it, 5 dirhams are are due for it.
3. There is nothing due on the excess until it reaches 40 dirhams, then 1 dirham is due for it.
   [Similarly] for every 40 dirhams, there is 1 dirham [due].
   Abu Yusuf and Muhammad said : Whatever exceeds 200 [dirhar its zakat is in proportion.
4. If the silver is dominant in silver coins, then their ruling is that silver. But, if alloy is dominant then their ruling is that of trade goods, and its reaching nisab is taken into account.

3.0 ZAKAT ON GOLD

1. There is no zakat [obligatory] on any gold less than 20 mithqal.
   [20 mithqal corresponds to 2.81 troy oz and 87.48g.]
2. Then, if it is 20 mithqal, and a [lunar] year passes over it, then a mithqal is due for it.
3. Then, for every 4 mithqal, 2 qirat [are due].
   There is no charity [obligatory] on any [gold] less than 4 mithq according to Abu Hanifah.
4. There is zakat due on raw gold and silver, [as well as on] jewel and vessels [made] of them.

4.0 ZAKAT ON GOODS

1. Zakat is obligatory on trade goods, whatever they may be, if their value reaches the nisab of gold or silver; one assesses it based on whichever of the two is more beneficial for the poor and destitute.
2. If the nisab is complete at teh two ends of the [lunar] year, then its dropping in between that does not waive the zakat.
3. The value of goods is added to gold and silver.
   Similarly, gold is added to silver in value in order to reach the nisab, according to Abu Hanifah. Abu Yusuf and Muhammad said : Gold is not added to silver by value, but it is added by parts.

5.0 THOSE TO WHOM IT IS AND IS NOT ALLOWED TO GIVE ZAKAT

5.1 Those Who May Receive Zakat

Allah, the Exalted, says, (translated),

> "Alms are only for the poor, the destitute, those who collect them, those whose hearts are to be reconciled, for [mukatib] slaves, debtors, and in the Path of Allah, and the wayfarer. An [ordained] obligation from Allah. And Allah is Knowing, Wise." [Qur'an, 9:60]

These, then, are eight categories, out of which 'those whose hearts are to be reconciled' have dropped, because Allah has granted honor to Islam and has freed [it] of need of them.
The Poor : is one who has the least of things.
The Destitute : is one who has nothing.
The [Zakat-]Worker : is paid by the imam in proportion to his work, if he worked.
Slaves : the mukatibun are assisted in freeing themselves.
The Debtor : is one on whom a debt is incumbent.
In the Path of Allah : are the stranded fighters.
The Wayfarer : is one who has money in his home-land, but is in a place in which he has nothing.
These, then are the sections of zakat.
The possessor may pay [some] to each of them, or he may restrict himself to one category.

5.2 Causes Not Eligible for Receipt of Zakat

1. It is not permissible for one to give zakat to a dhimmi,
2. Nor may a mosque be built with it,
3. Nor may a dead person be shrouded with it,
4. Nor may a slave be bought with it to free,
5. Nor may it be payed to a rich person.

5.3 Relationships Making One Ineligible to Receive Zakat

1. Nor may the payer of zakat pay it to his father, nor his grandfather even if higher [up in ascendancy],
2. Nor to his child, nor his child's child, even if lower [down in descendancy],
3. Nor to his wife.
   A woman may not pay [her zakat] to her husband, according to Abu Hanifah. Abu Yusuf and Muhammad said : she may pay [it] to him.
4. One may not pay [one's zakat] to one's mukatib or slave, nor to the slave of a wealthy person, nor to the child of a wealthy person if he is a minor.
5. It may not be paid to Banu Hashim, and they are : the Household of `Ali, the Household of `Abbas, the Household of Ja`far, the Household of Harith ibn `Abd al-Muttalib; nor to their freed slaves.

5.4 Miscellaneous Regulations

1. Abu Hanifah and Muhammad said : If one pays zakat to a man whom one thinks to be poor, and then it transpires that he is rich, or Hashimi, or an unbeliever, or [if] one paid [it] in darkness to a poor person, and then it transpired that he was his father or his son, then repeating it is not [obligatory] upon him.
   Abu Yusuf said : Repetition is [obligatory] upon him.
   If one paid [it] to a person, and then he learned that he is his slave or mukatib, it is not valid according to the verdict of them all.
2. It is not permissible to pay zakat to anyone who possesses the nisab of whatever type of wealth it may be. It is permissible to pay it to anyone who possesses less than that, even if he is healthy and earning.
3. It is disliked to transfer zakat from one land to another; rather the alms of each people should be distributed amongst them, unless a person transfers it it to his relatives, or to a people who are more in need than the people of his land.

6.0 SADAQAT AL-FITR

6.1 Obligation

1. Sadaqat al-Fitr is wajib on the free Muslim, if he is in possession of the quantity of nisab in excess of his dwelling, clothing, furnishings, horse, weapons and service slaves.
2. He gives it out on behalf of himself, his minor children and his slaves.
   He does not pay [it] on behalf of his wife, nor his adult children, even if they are in his household.
   He does not give it out on behalf of his mukatib, nor his slaves [who were acquired] for trade.
   There is no fitrah due on either of the two [masters] of a slave [co-owned] between two partners.
   A Muslim master pays the fitrah on behalf of his unbelieving slave.
3. The obligation of the fitrah is attached to the rise of the dawn on the Day of [`Id al-] Fitr. So, whoever dies before that, his fitrah has not become wajib. Whoever accepts Islam, or is born, after the rise of the dawn, his fitrah has not become wajib.

6.2 Payment

1. The fitrah is :
   half a sa` of wheat, OR
   one sa` of [dried] dates or raisins or barley.
   The sa` according to Abu Hanifah and Muhammad is 8 Iraqi ratl.
   Abu Yusuf said : [it is] $5^1/_3$ ratl.
   [1 sa` is a volume of 2.03 litres, and corresponds to approximately 3,149.28g.
   1 sa` ~ 4 mudd; 1 mudd ~ 2 ratl; 1 ratl ~ 20 istar; 1 istar ~ 4½ mithqal {Radd al-Muhtar}]
2. It is recommended for people to give out the fitrah on the Day of Fitr before going out to the prayer place. If they advance-pay it before the Day of Fitr, it is valid. But, if they delayed it beyond the Day of Fitr, it is not waived, and it is [still an obligation] upon them to give it out.

Fasting (Siyam)

FASTING (SIYAM)

(According to the Qur'an and Sunnah, as extracted and inferred by scholars of the Hanafi school.)
From "Mukhtasar al-Quduri", a matn of Hanafi fiqh

10THE OBLIGATION OF FASTING

1. The time for fasting is from the rising of the second dawn until the setting of the sun.
2. Fasting is : abstention from eating, drinking and sexual intercourse by day with the intention.
3. If in Ramadan a child reached adulthood, or an unbeliever accepted Islam, they abstain [from things which invalidate fasting] for the remainder of that day, and fast that which comes thereafter. They do not make up what passed.
4. If a traveller arrives [at his place of residence], or a [menstruating] woman attains purity with part of the day

[remaining], they abstain [from those things which invaliate fasting] for the rest of that day.

2.0 THE INTENTION

Fasting is of two sorts : obligatory and supererogatory (nafl).

1. The obligatory is of two sorts : among it is that which is attached to a specific time, such as the fast of ramadan, and a specified vow. The fasting of [this category] is valid with an intention from the night, but if one did not intend until the morning, the intention suffices him between [dawn] and {the middle of the day}. The second sort is that which becomes obligatory to fulfil, such as the make-up [fasts] of Ramadan, unrestricted vows, and atonements. These are not valid without an intention from the night.
2. All of the nafl is valid with an intention before {the middle of the day}.

3.0 SIGHTING THE CRESCENT

3.1 For Ramadan

1. It is imperative for the people to seek the new crescent on the twenty-ninth day of Sha`ban. Then, if they see it, they fast [the following day], but if it is obscured from them, they complete the couting of Sha`ban as thirty days and then fast [after that].
2. Whoever sights the new crescent of Ramadan alone fasts, even if the imam does not accept his testimony.
3. If there is some obstruction in the sky, the imam accepts the testimony of one upright [Muslim] - be that male or female, free-man or slave - for the sighting of the crescent. But, if there is no obstruction in the sky, [one individual's] testimony is not accepted until a large multitude sight it, by whose report [certain] knowledge is attained.

3.2 For `Id

1. Someone who alone sights the crescent for ending the fast does not stop fasting.
2. When there is some obstruction in the sky, only the testimony of two men, or one man and two women, is accepted for [sighting of] the crescent for ending the fast. But, if there is no obstruction in the sky, only the testimony of a large

multitude -- by whose report [certain] knowledge is attained -- is accepted.

4.0 ACTIONS OF THE FASTING PERSON

4.1 Things that do not break the fast

1. If the fasting one ate, or drank, or had sexual inercourse out of forgetfulness [that he was fasting], his fast is not broken.
2. If he slept and then had an erotice dream, or looked at a woman and ejaculated, or oiled [his head], or underwent blood-letting, or used antimony [in his eyes], or kissed, his fast is not broken.
3. If one is overcome by vomiting, his fast is not broken.
4. If he applied drops inside his urethra, his fast is not broken according to Abu Hanifah. Abu Yusuf said : his fast is broken.

4.2 Things that are Disliked for the Fasting Person

1. If someone tastes something with his mouth, his fast is not broken, but it is disliked for him to do that.
2. It is disliked for a woman to chew the food for her infant if she has some alternative.
3. Chewing gum does not break the person's fast, but it is disliked.

4.3 Things that Break the Fast and require Makeup

1. If he ejaculated on account of a kiss or touch, then make-up is due upon him.
   There is no harm in kissing if he feels himself safe, but it is disliked if he does not feel safe.
2. Makeup is due, but not expiation, for someone who had intercourse in other than the private parts and ejaculated.
3. If one deliberately made himself vomit a mouthful then makeup is due upon him.
4. The fast of someone who swallows pebbles or iron is broken.
5. Whoever had an anal enema, or applied nose-drops, or ear-drops, or treated a torn belly or a skull-fracture with medicine such that it reached his body cavity or his brain, his fast is broken.
6. If someone had suhur thinking the dawn had not [yet] risen, or broke his fast thinking the sun had set, and then it turned out that the dawn had risen, or that the sun had not set, makes up that day, but there is no expiation due on him.
7. Someone who lost consciousness in Ramadan does not make

up the day on which the loss of consciousness occurred, but he makes up that which came after it.

8. If an insane person regained sanity with part of Ramadan [remaining], he makes up what passed of it.
9. If a woman menstruates, she stops fasting and makes up [fasting for the days of menstruation].
10. Whoever enters into an optional fast, or an optional prayer, and then spoils it, makes it up.

4.4 Things that Break the Fast and require Makeup and Expiation

1. Expiation is due on someone who deliberately has sexual intercourse in one of the two passages, or eats or drinks something which provides nutrition, or is used for treatment
2. The expiation is like the expiation for zihar.
3. There is no expiation for spoiling a fast in other than Ramadan.

5.0 EXCUSES

5.1 Those who may Postpone Fasting

1. Someone who is sick in Ramadan, and fears that if he fasts his sickness will increase, breaks his fast and makes [it] up [later].
2. If one is a traveller who is not harmed by fasting, then for him to fast is preferable, but if he does not fast and makes it up [later] it is permissible.
3. The pregnant or nursing woman, if they fear for their children, do not fast and make it up, and there is no redemption due upon them.

5.2 Making up Missed Fasts

1. The makeup of Ramadan may be performed separately if one wishes, or consecutively if one wishes.
2. If one delayed it until another Ramadan entered, he fasts the second Ramadan, and makes up the first after it, and there is no redemption due upon him.
3. If the invalid or the traveller dies while they are in that condition, makeup is not incumbent upon them. But, if the invalid recovers, or the traveller takes up residence, and then they die, makeup is incumbent upon them for the extent of the health or residence.

5.3 Redemption (Fidyah)

1. The aged man who is not capable of fasting does not fast, and

for every day he feeds a poor person, just as one feeds in expiations.

2. Whoever died with makeup [fasts] of Ramadan due upon him, and bequeathed for it, his guardian, on his behalf, feeds for every day to one poor person : half a sa` of wheat, or one sa` of dates, or one sa` of barley.

6.0 SECLUSION (I`TIKAF)

1. Seclusion is praiseworthy. It comprises remaining in the mosque, with fast and the intention of seclusion.
2. It is prohibited for the secluded one :
   - to have sexual intercourse
   - to touch [with lust]
   -
3. If the secluded one had sexual intercourse, by night or day, his seclusion is invalidated.
4. He should not exit from the mosque except for a a human need, or [for] Jumu`ah [prayer].
5. There is no harm in his buying or selling in the mosque without bringing the goods there.
6. He should speak only well, but [intentional] silence is disliked for him.
7. Whoever obligated upon himself seclusion for [a number of] days is obliged to to seclude himself for them along with their nights, and [the days] are consecutive, even if he did not stipulate consecutiveness.

Darussunnah Latifia New York

(Hifz and Alim Course)

Hifz: 3 Years (Full Time)

Alim: 5 Years (Full Time)

Darussunnah Latifia New York

(A Garden of Huffaj)

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